

October 12, 2017

By Electronic Filing – Notice of *Ex Parte* Communication

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: *General Communication, Inc., Transferor, and GCI Liberty, Inc.,
Transferee, Applications for Consent to Transfer Control of
International and Domestic Section 214 Authority, WC Docket No. 17-114;
Connect America Fund, WC Docket No. 10-90*

Dear Ms. Dortch:

On October 10 and 11, 2017, Leonard Steinberg of Alaska Communications, Richard Cameron of Cameron Law & Policy LLC, and I met with Claude Aiken, Amy Bender, Travis Litman, Jay Schwarz, Jamie Susskind, and members of the Transactions Team, including Jim Bird, Stacy Ferraro, Brendan Holland, Lisa Hone, Dennis Johnson, Daniel Kahn, Jodie May, Elizabeth McIntyre, Alex Minard, Linda Ray, Joel Rabinovitz, and Matthew Warner. The purpose of the meeting was to discuss the above-captioned applications, which Alaska Communications believes cannot be deemed in the public interest without appropriate conditions to protect consumers from the anti-competitive behavior that otherwise can be expected to result.

As noted in Alaska Communications' prior filings in this docket,¹ GCI and Liberty claim the sole public interest benefit to arise from this transaction will be GCI's increased purchasing power and financial muscle.² They have failed to explain why this larger, more aggressive entity poses no increased threat to competition or consumers in Alaska.

In contrast, a number of parties representing competitors and customers have presented fact-based testimony supporting their serious concerns about GCI's ability to dominate the Alaska market through improved access to capital and a larger corporate platform, if this

¹ E.g., Letter from Karen Brinkmann, Counsel to Alaska Communications, to Marlene H. Dortch, FCC Secretary, WC Docket No. 17-114 (filed Sept. 18, 2017); Petition to Deny of Alaska Communications in WC Docket No. 17-114 (filed June 29, 2017).

² E.g., Joint Opposition of the Applicants at 4.

transaction is approved without appropriate regulatory safeguards. Alaska Communications and others are urging the Commission to impose transaction-appropriate conditions to prevent abuse of the monopoly position already enjoyed by GCI where it owns and operates bottleneck middle-mile facilities, as well as to restrain the larger, stronger GCI from abusing the Commission's universal service programs, charging super-competitive prices and denying access to its facilities on reasonable terms, for which GCI is well known in Alaska.³

Therefore, Alaska Communications reiterates that certain conditions are both appropriate and necessary for the public interest:

- Requiring GLIB to identify routes where federal subsidies (including high-cost support, E-rate support, and rural health care support) are intended to be used, and providing an opportunity for public input (to ensure support is used for the purpose for which it is intended, such as to bridge broadband gaps in unserved areas);
- Requiring reasonable non-discriminatory access to all subsidized infrastructure; and
- Requiring GLIB to enter into service restoration agreements with other telecommunications carriers on commercially reasonable terms.

In response to a question from FCC staff, Alaska Communications confirmed that the Commission should continue to require GCI and other beneficiaries of federal support under the 2016 Connect America Fund "Alaska Plan" to disclose the terrestrial middle-mile facilities that exist today and that they deploy using CAF support.

Please direct any questions regarding this matter to me.

Very truly yours,



Karen Brinkmann

Counsel to Alaska Communications

³ See, e.g., Petition to Deny of Quintillion Subsea Operations, LLC and Quintillion Networks, LLC in WC Docket No. 17-114, pp. 16-21 (filed June 19, 2017).